

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

THE HIPSAVER COMPANY, INC.,

Plaintiff,

V.

J.T. POSEY COMPANY,

Defendant.

AND RELATED COUNTERCLAIM.

Civil Action No. 05-10917 PBS

OBJECTIONS OF J.T. POSEY COMPANY, INC. TO HIPSAVER'S FINAL WITNESS LIST

J. T. Posey Company, Inc. ("Posey") objects to the following witness as designated by The HipSaver Company Inc.:

Mr. Charles Sweeney.

As previously stated in Posey's objections to HipSaver's final disclosures under Rule 26(1)(3), pursuant to Rules 26(a), subsections (1) and (3), 26(e) and 37(c)(1) of the Federal Rules of Civil Procedure, Posey objects generally and specifically to the designation and the testimony at trial of Charles Sweeney as a witness.

Dated: May 22, 2007

J.T. POSEY COMPANY

By its attorneys,

/s/ Douglas H. Morseburg

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CERTIFICATE OF SERVICE

I certify that this document has been filed through the Electronic Case Filing System of the United States District Court for the District of Massachusetts and will be served electronically by the court to the Registered Participants identified in the Notice of Electronic filing.

May 22, 2007

/s/ Donald K. Piper

Donald K. Piper